

Notice of Allowability	Application No.	Applicant(s)	
	10/608,453	HUX ET AL.	
	Examiner	Art Unit	
	Gregory F. Cunningham	2676	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to application received 6/26/2003.
2. ☒ The allowed claim(s) is/are 1-25.
3. ☒ The drawings filed on 26 June 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>6/1/2004</u> 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. 7. <input type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____. |
|---|--|

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DETAILED ACTION

1. This action is responsive to amendment filed 6/26/2003.
2. The disposition of the claims is as follows: claims 1-25 are pending in the application. Claims 1, 7, 13, 18 and 22 are independent claims.

Information Disclosure Statement

3. The information disclosure statement filed 6/1/2004 fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language. It has been placed in the application file, but the information referred to therein has not been considered.

Furthermore it appears that most of the entries do not represent prior art since their publication date or copyright date is not prior to the applicant's filing date of 6/26/2003. For example the 333-page entry of Segal, Mark et al. dated October 30, 2003, published three to four months after the Applicant's filing.

Albeit, all entries have been considered.

Allowable Subject Matter

4. Claims 1-25 are allowed.
5. The following is an examiner's statement of reasons for allowance:

Applicant's amended independent claim 1 stands novel over the related prior art. For instance, while the IDS referenced art of "The OpenGL Graphics System: A Specification

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(Version 1.5)", does make use of tokens it does not mention any use of shell or graphical state, moreover any of the claim elements of independent claims 1, 7, 13, 18 or 22. Elements such as:

assembling tokens that define processing for producing a graphical state; assembling a shell rasterizer using the tokens; selectively modifying portions of the shell rasterizer with replacement logic; and selectively inserting memory management logic into portions of the shell rasterizer to produce a modified rasterizer as claimed in claim 1;

selectively replacing rasterizer logic in a rasterizer based on an architecture of a machine that processes the rasterizer; selectively inserting memory management logic into the rasterizer using properties of the architecture; and indexing the modified rasterizer in memory as claimed in claim 7;

instructions, wherein the instructions, when executed, produce a rasterizer, the machine comprising at least one component performing: assembling a shell rasterizer from a provided graphical state; modifying the shell rasterizer with replacement logic and memory management logic to produce a modified rasterizer; and indexing the modified rasterizer based on the provided graphical state as claimed in claim 13;

a token building application that assembles a processing order needed to produce a graphical state; and a composing application that assembles a generic shell rasterizer to satisfy the processing order; wherein the composing application also dynamically replaces and inserts logic into the shell rasterizer to produce a modified rasterizer as claimed in claim 18;

data structure residing in a computer-accessible medium for producing a rasterizer image, the data structure comprising: shell logic produced from a graphical state; replacement logic that selectively replaces portions of the shell logic based on an architecture of a machine that will

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process the data structure; and insertion logic that is selectively intertwined into the shell logic to perform memory management when the rasterizer data structure is processed as claimed in claim 22.

Therefore as claimed by the combined elements of independent claims 1, 7, 13, 18 and 22, the cited references and prior art of record lack separately and in combination the elements of said independent claims.

Furthermore claims 2-6, 8-12, 14-17, 19-21 and 23-25 depend from allowable independent claims 1, 7, 13, 18 and 22, respectively, and therefore are also allowed.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Responses

7. Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires to fax a response, (703) 872-9306 may be used for formal communications.

Inquiries

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory F. Cunningham whose telephone number is (571) 272-7784.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella can be reached on (571) 272-7778. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

On July 15, 2005, the Central FAX Number will change to **571-273-8300**. This new Central FAX Number is the result of relocating the Central FAX server to the Office's Alexandria, Virginia campus.

Most facsimile-transmitted patent application related correspondence is required to be sent to the Central FAX Number. To give customers time to adjust to the new Central FAX Number, faxes sent to the old number (703-872-9306) will be routed to the new number until September 15, 2005. After September 15, 2005, the old number will no longer be in service and **571-273-8300** will be the only facsimile number recognized for "centralized delivery".

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

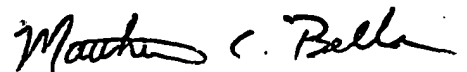


Greg Cunningham

Examiner

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6/26/2005



MATTHEW C. BELLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600